

§ 1002.1

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AUTHORITY: Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674.

7 CFR Ch. X (1-1-99 Edition)

Subpart—Order Regulating Handling

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GENERAL PROVISIONS AND DEFINITIONS

§ 1002.1 General provisions.

The terms, definitions, and provisions in part 1000 of this chapter are hereby incorporated by reference and made a part of this order.

[36 FR 9847, May 29, 1971]

§ 1002.3 Marketing area.

New York-New Jersey milk marketing area (hereinafter called the "marketing area") means all of the territory within the boundaries of the city of New York, and the counties and parts of counties set forth below together with all piers, docks, and wharves connected therewith, and all craft moored thereat, and including territory within such boundaries which is occupied by Government (municipal, State, Federal, or international) reservations, installations, institutions, or other establishments.

NEW YORK COUNTIES

Albany.
Broome.
Cayuga (except the townships of Sterling, Victory, Conquest, and Montezuma).
Chemung.
Chenango.
Columbia.
Cortland.
Delaware.
Dutchess.
Essex (Schroon, Ticonderoga, Crown Point, and Moriah townships only).
Fulton (except the township of Stratford).
Greene.
Herkimer (except the townships of Webb, Ohio, and Salisbury).
Madison.
Montgomery.
Nassau.
Oneida (except the townships of Ava, Boonville, Forestport, and Florence).
Onondaga.
Orange.
Oswego (except the townships of Redfield and Boylston).
Otsego.
Putnam.
Rensselaer.
Rockland.

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Saratoga (except the townships of Day, Edinburg, and Providence).
Schenectady.
Schoharie.
Schuyler.
Steuben (Addison, Corning, and Erwin townships only).
Suffolk (except Fisher's Island).
Sullivan.
Tioga.
Tompkins.
Ulster.
Warren (except the townships of Johnsburg, Thurman, and Stony Creek).
Washington.
Westchester.
Yates (except the townships of Italy, Middlesex, and Potter).

NEW JERSEY COUNTIES

Bergen.
Essex.
Hudson.
Hunterdon.
Middlesex.
Monmouth.
Morris.
Ocean (except the boroughs of Barnegat Light, Beach Haven, Harvey, Cedars, Ship Bottom, Surf City, Tuckerton, and the townships of Eagleswood, Lacery, Little Egg Harbor, Long Beach, Ocean, Stafford, and Union).
Passaic.
Somerset.
Sussex.
Union.
Warren.

§ 1002.5 Dairy farmer.

Dairy farmer means any person who produces milk.

§ 1002.6 Producer.

Producer means any dairy farmer who produces milk approved by a duly constituted regulatory agency for fluid consumption and who delivers pool milk as specified in §1002.14 to a pool plant, a pool unit, a plant specified in §1002.28 (f)(2) which is a partial pool plant, or a partial pool unit whose pool designation was canceled for failure to meet the requirements specified in §1002.26(a), except that it shall not include any such dairy farmer delivering to such partial pool plant or partial pool unit unless at least 50 percent of such dairy farmer's milk delivered to such plant or unit is pool milk pursuant to §1002.14. Each dairy farmer delivering milk to a partial pool plant or a partial pool unit shall be considered

to have delivered pool milk for such dairy farmer's proportionate share of total milk delivered by dairy farmers to such plant or unit.

[56 FR 5320, Feb. 11, 1991]

§ 1002.7 Handler.

Handler means:

(a) Any person who engages in the handling of skim milk or butterfat which was received at a pool plant, a partial pool plant, a pool unit or a partial pool unit or at a plant approved by any health authority as a source of skim milk or butterfat for disposition as fluid milk products in the marketing area;

(b) Any person who engages in the handling of fluid milk products, all or a portion of which is shipped to, or received in, the marketing area; or

(c) Any cooperative association with respect to milk which it causes to be delivered from producers to any other handler for the account of such association and for which such association receives payment.

§ 1002.8 Plant.

(a) *Plant* means the land, buildings, surroundings, facilities, and equipment, whether owned or operated by one or more persons, constituting a single operating unit or establishment for the receiving, handling, or processing of milk or milk products as determined by the market administrator.

(b) *Pool plant* means any plant which is designated as a pool plant pursuant to §§ 1002.24 to 1002.28 and any plant, except an other order plant, which receives no milk from dairy farmers or units and from which 50 percent or more of the gross receipts of skim milk and butterfat in the form of fluid milk products is disposed of in consumer packages or dispenser inserts in the marketing area by direct distribution or is moved either in packaged form or bulk to other plants in the marketing area.

(c) *Partial pool plant* means a plant which is so designated pursuant to §1002.29.

(d) *Other order plant* means a plant which is fully subject to the pricing and payment provisions of an other order.